

Appendix 2

About the Political Reform Act

How to Get Help

The Political Reform Act of 1974

The Political Reform Act (the “Act”) was a voter-approved initiative on the 1974 primary election ballot. One of the major provisions of the Act requires the disclosure of lobbying activity, both financial and the legislative or administrative actions attempted to be influenced by:

- individual lobbyists;
- lobbying firms;
- lobbyist employers;
- lobbying coalitions;
- And those who spend \$5,000 or more in a calendar quarter attempting to influence legislative or administrative action, but do not hire a lobbyist.

The Fair Political Practices Commission

The Fair Political Practices Commission is the independent, nonpartisan state agency authorized to implement, interpret, and enforce the provisions of the Political Reform Act. The Commission is comprised of a full-time chair appointed by the Governor, and four part-time commissioners, one each appointed by the Controller, the Attorney General, the Secretary of State, and the Governor. Each serves a four-year term and no more than three members may be from the same political party. Commission staff members are divided into four divisions: Administration, Enforcement, Legal, and Technical Assistance.

Governing Statutes

The Political Reform Act is contained in Government Code sections 81000-91014.

Regulations

Regulations interpreting the Political Reform Act are located at California Code of Regulations Title 2, Division 6, beginning at section 18000.

Opinions and Advice Letters

The Commission periodically issues opinions interpreting provisions of the Political Reform Act. The opinions are adopted at a public meeting, with opportunity for input from interested persons.

In addition, FPPC staff issues written advice letters as to the applicability of the Political Reform Act and regulations to a particular factual situation. Visit the Commission’s website, click onto “Library & Publications,” then click onto “Booklets” to find the FPPC publication “How Do I Get Advice From the FPPC?”

FPPC staff does not provide advice by e-mail.

Obtaining Information from the FPPC

Write, call, or visit the FPPC to get copies of specific advice letters; they are not currently available on the Commission website.

Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660 -- Toll-free (866) 275-3772

Website (www.fppc.ca.gov)

The Commission’s website contains a wealth of helpful information, including:

- The Political Reform Act, its corresponding regulations, and Commission opinions;

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- Notices of Commission meeting dates and agenda, supporting documentation for agenda items, and meeting summaries;
- Interactive lobbying forms;
- Manuals, fact sheets, and useful summaries of the law;
- Schedules of upcoming seminars and education workshops.

Commission Bulletin

The Commission publishes a free bulletin. Information regarding enforcement cases, legislation and litigation updates, workshop announcements, Commission meeting summaries, campaign statement filing schedules, and advice letter summaries are regularly included. Persons interested in obtaining the *Bulletin* may contact the Commission to be placed on the email *Bulletin* mailing list by sending an email request to jmattews@fppc.ca.gov, or accessing the *Bulletin* via the website and clicking onto “Library & Publications.”

Need Help Fast?

Assistance may be obtained regarding filing requirements, how to complete forms, restrictions, prohibitions, or an upcoming issue by calling the Commission’s Technical Assistance Division at (916) 322-5660, or toll-free at (866) 275-3772, ext. 2. In most cases, questions can be answered over the telephone. However, depending on the circumstances, written advice may be required or preferred.

For even more information! The Commission periodically conducts educational workshops on lobbying rules and completing the forms. Contact the Technical Assistance Division or the website to see when the next workshop is scheduled. All lobbying workshops are held at the FPPC offices at 428 J Street, 8th Floor, Sacramento.

Note: Lobbyist ethics workshops are conducted by the Assembly Legislative Ethics Committee and the Senate Committee on Legislative Ethics. To obtain information regarding the course schedule, contact Jeanie Myers at (916) 324-6929.

Obtaining Information Elsewhere

A subscription for regulations is available from:

Barclay’s Law Publishing
P.O. Box 3066
South San Francisco, CA 94083
(800) 888-3600

Opinions and advice letters are available from these subscription services:

Westlaw (800) 328-9352
Database: “CA-ETH”
(Advice letters from 1986 to present)

Lexis-Nexis (800) 227-9597
Database: “CA Fair Political Practices Commission”
(Advice letters from 1990 to present)

Other Resources

Secretary of State

The **Secretary of State** is the filing officer for lobbying disclosure statements, issues electronic filing identification numbers and passwords, and publishes a directory that reflects information contained in lobbying registration documents. The directory is divided into four sections that list lobbyists, lobbying firms, and lobbyist employers alphabetically, and lobbyist employers by category. The current *Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers* may be purchased from the Secretary of State.

(916) 653-6224
(916) 653-5045 fax
www.ss.ca.gov

Cal-Online Help Desk (Electronic Filers)
(877) 745-3453 (toll free)
(916) 653-7283

Franchise Tax Board

The **Franchise Tax Board** is responsible for responding to questions regarding tax status, 501(c)(3) groups, audits, or any tax-related questions.

(800) 852-5711 or (800) 338-0505
www.ftb.ca.gov

Local/Judicial/Federal Lobbying Requirements

Lobbying activity conducted at the city, county, judicial, or federal levels are not governed by the Act. To determine what, if any, lobbying disclosure requirements are in effect at the local, judicial, or federal level, contact the specific agency in question.

Privacy Information Notice

Information requested on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Government Code sections 81000-91014 and California Code of Regulations sections 18109-18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Notice or how to access your personal information, please contact the FPPC at:

Manager, Filing Officer Programs
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660

Public Inspection & Audit

All reports and statements required by the Political Reform Act are public records open for public inspection and reproduction, and are subject to audit by the Franchise Tax Board and the Fair Political Practices Commission.

Enforcement

The **Fair Political Practices Commission** and the **Attorney General** have enforcement authority under the Act.

Failure to provide all or any part of the information required by the Political Reform Act is a violation subject to:

- An administrative enforcement proceeding before the Fair Political Practices Commission;
- A criminal misdemeanor proceeding;
- A civil action; and
- Levying of late penalties by filing officers.

Penalties for not filing lobbying statements may be imposed up to \$5,000 per violation.

Additional information on the Commission's enforcement procedures is available on the Commission's website. In addition, the Commission maintains a toll-free number for reporting suspected violations of the Political Reform Act. The number is (800) 561-1861.